

1 Thomas Ryan (SBN 143148)  
tryan@mwe.com

2 Jason Strabo (SBN 246426)  
jstrabo@mwe.com

3 Irene Le (SBN 325503)  
lle@mwe.com

4 **McDERMOTT WILL & EMERY LLP**

2049 Century Park East

Suite 3200

Los Angeles, CA 90067-3206

Telephone: +1 310 277 4110

Facsimile: +1 310 277 4730

Attorneys for Defendants

ENVISION HEALTHCARE CORPORATION

AND ENVISION PHYSICIAN SERVICES,

L.L.C.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

AMERICAN ACADEMY OF EMERGENCY  
MEDICINE PHYSICIAN GROUP, INC., a  
Wisconsin Corporation,

Plaintiff,

v.

ENVISION HEALTHCARE CORPORATION; a  
Delaware Corporation; ENVISION PHYSICIAN  
SERVICES L.L.C.; a Delaware Limited Liability  
corporation doing business in California and  
DOES 1-100,

Defendants.

CASE NO. 3:22-cv-00421-AGT

**DEFENDANTS' UPDATED NOTICE OF  
MOTION AND MOTION TO DISMISS  
AND MOTION TO DISMISS PURSUANT  
TO RULES 12(B)(1) AND 12(B)(6) OR,  
ALTERNATIVELY, STRIKE  
PLAINTIFF'S COMPLAINT PURSUANT  
TO RULE 12(F) OF THE FEDERAL  
RULES OF CIVIL PROCEDURE**

Hearing Date: March 31, 2022

Time: 10:00 a.m.

Place: Courtroom 6, 17th Floor

Judge: Hon. Charles R. Breyer

PER CIVIL L.R. 7-6, NO ORAL ARGUMENT  
UNLESS SEPARATELY ORDER BY THE  
COURT

**UPDATED NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT**

PLEASE TAKE NOTICE that the hearing on Defendants Envision Healthcare Corporation and Envision Physician Services, LLC's (collectively, "Defendants") Motion to Dismiss Pursuant to Rules 12(B)(1) and 12(B)(6) or, Alternatively, Strike Plaintiff's Complaint Pursuant to Rule 12(F) of the Federal Rules of Civil Procedure (Dkt. No. 11) previously scheduled for March 4, 2022 at 10:00 a.m. in the courtroom of Honorable Alex G. Tse, United States Magistrate Judge, in the United States District Court for the Northern District of California, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, Courtroom A, 15th Floor, San Francisco California, has been **rescheduled to March 31, 2022 at 10:00 a.m.**, in the courtroom of Honorable Charles R. Breyer, United States District Judge, in the United States District Court for the Northern District of California, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, Courtroom 6, 17th Floor, San Francisco California. This updated notice is being provided in accordance with order of the Court. (See Dkt. Nos. 14, 16.)

Dated: February 11, 2022

**McDERMOTT WILL & EMERY LLP**

By: /s/ Jason D. Strabo  
JASON D. STRABO  
Attorneys for Defendants  
ENVISION HEALTHCARE CORPORATION  
AND ENVISION PHYSICIAN SERVICES,  
L.L.C.